

DECLARATION FOR PATENT APPLICATION

Docket Number DEN226

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

KIT FOR UPDATING A DIGITAL DATA PROCESSING SYSTEM

the specification of which

is attached hereto unless the following box is checked:

_____ was filed on _____ as United States Application
Number or PCT International Application Number _____
and was amended on _____
(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

<u>90335</u> (Number)	<u>LU</u> (Country)	<u>30 december 1998</u> (Day, Month/ Year Filed)	<u>X</u> Yes <u> </u> No
<u> </u> (Number)	<u> </u> (Country)	<u> </u> (Day, Month/ Year Filed)	<u> </u> Yes <u> </u> No
<u> </u> (Number)	<u> </u> (Country)	<u> </u> (Day, Month/ Year Filed)	<u> </u> Yes <u> </u> No

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United

665001 222460

Applicant or Patentee: Eric Aubry Attorney
 Appl. or Patent No.: _____ Docket No: DEN226
 Filed or Issued: Herewith
 For: KIT FOR UPDATING A DIGITAL DATA PROCESSING SYSTEM

Verified Statement (Declaration) Claiming Small Entity Status
(37 C.F.R. §§ 1.9(d) and 1.27(c)) – Small Business Concern

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN VITEC S.A.
 ADDRESS OF SMALL BUSINESS CONCERN 2, rue Astrid
L - 1143 LUXEMBOURG

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.3-18, and reproduced in 37 C.F.R. § 1.9 (d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled KIT FOR UPDATING A DIGITAL DATA PROCESSING SYSTEM

by inventor(s) Eric Aubry described in

- ☒ the specification filed herewith
☐ application no. _____, filed _____
☐ patent no. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person made the invention or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27)

NAME _____
 ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION
 NAME _____
 ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION
 NAME _____
 ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING _____
 TITLE IN ORGANIZATION Jacques Merckling, Administrator
 ADDRESS OF PERSON SIGNING 160, av. du 69 R.I.
F - 542770 ESSEY LES NANCY/FRANCE

SIGNATURE _____ DATE 23 September 1999

States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Number)	(Filing Date)	(Status - patented pending, abandoned)
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(Application Number)	(filing Date)	(Status - patented pending, abandoned)
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I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Thomas S. Baker, Jr.

Address all telephone calls to Thomas S. Baker, Jr. at telephone number 614/488-2202

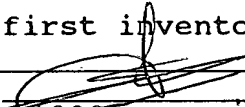
Address all correspondence to Thomas S. Baker, Jr.

1371 W. 3rd Avenue
Columbus, OH 43212

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name)

Eric Aubry

Inventor's signature 

Date September 23, 1999

Residence 14, rue Joseph Tockert, L - 2620 LUXEMBOURG

Citizenship Luxembourg

Post Office Address Same

Full name of second joint inventor, if any (given name, family name)

Second Inventor's signature _____

Date _____

Residence _____

Citizenship _____

Post Office Address _____

Additional inventors are being named on separately numbered sheets attached hereto.